

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

In re:

FRED DALE VAN WINKLE,

Debtor(s).

Case No. 13-11743-T7

BRIAN VAN WINKLE, and
TAMMY SPRAGUE,
Co-Personal Representatives,

Plaintiffs,

vs.

Adv. No: 20-01022-T

BELLEVUE VALLEY LAND CO.,
JOHN WILLIAMS, and
ELLEN B. WILLIAMS,

Defendant.

MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR

COMES NOW, Davis Miles McGuire Gardner, PLLC (Ron Holmes), counsel for Plaintiffs, pursuant to Local Rule 9010-2, and hereby moves this Court for its Order allowing the withdrawal of counsel and states in support of this Motion the following:

1. Plaintiff has notified counsel he has terminated the representation and is seeking representation elsewhere. An email dated September 15, 2021, from the Plaintiff to counsel so stating was received by counsel but contains other confidential information and is therefore redacted accordingly.

2. Pursuant to Local Rule 9010-2(b), Plaintiff consents to the withdrawal. Plaintiff will be presumed to proceed *pro se*.

3. Debtors contact information is as follows:

Brian Van Winkle
P.O. Box 2595
Ruidoso, NM 88355
575-430-4370
brianvw62@icloud.com

4. Plaintiff has informed, in writing, of the pending deadlines including any scheduled dates and times of court proceedings. There are currently no scheduled hearings as of this writing but Plaintiff has been informed of the pending deadline to object to the Rule 9019 Motion to approve the settlement.

WHEREFORE, Counsel for Plaintiff respectfully requests this Court grant this Motion to Withdraw and any such further relief as the Court deems just and proper.

Respectfully submitted,

DAVIS MILES MCGUIRE GARDNER, PLLC

By Electronically filed
Ron Holmes
Attorney for Plaintiff
320 Gold SW, suite 1111
Albuquerque, NM 87102
(505) 268-3999
(505) 243-6448 fax
rholmes@davismiles.com

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing was electronically transmitted to the following:

W. T. Martin Jr. martinlaw@zianet.com, cgalloway@lawmdm.com

I hereby certify that a true and correct copy of the foregoing was mailed to the following:

Brian Van Winkle
P.O. Box 2595
Ruidoso, NM 88355

on this 16th day of September, 2021.

Electronically filed

Ron Holmes


Ron Holmes

From: Brian Van Winkle <brianvw62@icloud.com>
Sent: Wednesday, September 15, 2021 1:17 PM
To: Ron Holmes
Subject: Termination of representation

** External Sender ** Cyber Security Reminder: Send suspicious messages to phishing@davismiles.com.

Ron Holmes,

I'am terminating your representation and seeking representation elsewhere.



Thank you,
Brian VW.

Thank Sent from my iPhone